HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.4407 of 2007

Dated:06.03.2007

Between:

Sudha Products.

…Petitioner.

and

The Chief Managing Director and others

…Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.4407 of 2007

ORDER:

The petitioner is a small-scale industry and it is provided with power supply through S.C.No.794 of Brahmanagudem Village, Chagallu Mandal, West Godavari District. According to the petitioner, the bill used to be in the range of Rs.10,000 to Rs.15,000/-, per month. For the month of March 2002, a bill, dated 01.04.2002, was issued, wherein a sum of Rs.89,896/- was levied, as consumption charges. According to it, the opening reading for the previous month was taken as 9840 though it was 22150. There is no dispute as to the final reading, namely 30279. When this was taken to the notice of the Additional Assistant Engineer (Operation), Chagallu, the 2nd respondent herein, he verified the matter, he is said to have addressed a letter, dated 22.04.2002, stating that a mistake had crept in, as to the reading, and corrective steps need to be taken. The grievance of the petitioner is that without taking any action, on the basis of the letter, dated 22.04.2002, issued by the 2nd respondent, the respondents have disconnected the power supply. It seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

The controversy is only as to the accuracy and correctness of the bill for the month of March 2002. From a perusal of the letter, dated 22.04.2002, addressed by the 2nd respondent, it is evident that a serious mistake has taken place in the matter of calculation of units. According to him, the consumed units for that month are 8129 and not 20439. The consumption charges were levied on 20439 units. This makes substantial difference.

It is not known as to whether any corrective steps were taken, on the basis of the letter addressed by the 2nd respondent. The petitioner states that it is not put on notice, before disconnection was resorted to. This Court is of the view that the petitioner can be required to make a representation to the 3rd respondent, narrating the facts, referred to above, and be extended the power supply, in the meanwhile.

For the foregoing reason, the Writ Petition is disposed of, directing that the respondents shall restore the power supply to the petitioner forthwith, and the petitioner shall submit a representation to the

3rd respondent, narrating its grievance, within two weeks from today. On such representation, the 3rd respondent shall pass appropriate orders. Further action shall depend upon the nature of order that the

3rd respondent may pass. The petitioner, however, shall be liable to pay consumption charges, from time to time. There shall be no order as to costs.

Dt.06.03.2007 **L.NARASIMHA REDDY, J**

GJ

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